HONOURABLE MS JUSTICE G. ROHINI

WRIT PETITION No. 9615 of 2003

Dated 18th July 2007

Between:

M/s.Sri Sai Constructions,
Pinnamaneni Polyclinic Road,
Vijayawada rep by its Managing Partner K.Bnabu rao.

……Petitioner

and

The Chief Engineer, Roads & Buildings,
Erramanzil, Hyderabad and other.

……..Respondents.

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WRIT PETITION No. 9615 of 2003

ORDER:

This writ petition is filed aggrieved by the action of the 2nd respondent in not issuing the tender schedules pursuant to the tender notice dated 22.4.2003.

This Court, while ordering Rule Nisi, by order dated 16.5.2003, directed the 2nd respondent to issue and receive the tender schedules to the petitioner without reference to the corrigendum published in Eenadu daily dated 7.5.2003.

A counter affidavit has been filed on behalf of the second respondent stating that in compliance of the directions of this Court, the petitioner's application for issuance of tender schedules was considered and the petitioner was asked to furnish proof of possession of Electronically Controlled Asphaltic Hot Mix Plant. But, the petitioner failed to do so and on the other hand,

addressed a letter dated 23.5.2003 stating that he does not possess the Electrically Controlled Asphaltic Hot Mix Plant and accordingly requested to return his EMD and other deposits. Pursuant thereto, the EMD paid by the petitioner has already been returned.

In view of what has been stated in the counter affidavit, the cause in this writ petition does not survive and the same is accordingly dismissed.

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(G.ROHINI, J)

Dated: 18th July 2007

mrb